

Indiana State Advisory Council
on the Education of Children with Disabilities (SAC)

PENDING APPROVAL

May 6, 2011

H. Dean Evans Community and Education Center
8550 Woodfield Crossing Blvd.
Indianapolis, IN, 46240

Advisory council members present:

Rich Burden, Director, IN*SOURCE
Kim Dodson, ARC of Indiana
Dawn Downer, Director, First Steps
Christina Endres, State of Indiana McKinney-Vento Coordinator
Dr. Karol Farrell, SAC Chairperson, Director of Special Education, MSD of Washington Twp.
Dr. David Geeslin, Director, Indiana School for the Deaf
Jan Huffman, Parent Representative
Marcia Johnson, Principal, Indianapolis Public Schools
Lisa Kovacs, Director, Guide by your Side
Becky Kirk, Parent Representative
Dr. J. Bret Lewis, Superintendent, South Montgomery Community School Corporation
Kathy Mears, Associate Director, Archdiocese of Indianapolis
John Nally, Director, Indiana Department of Correction
Dr. Jane Swiss, Dean, University of St. Francis School of Professional Studies
Kristi Tesmer, Parent Representative

Advisory council members not present:

Shirley Amond
James Hammond (representative Kim Opsahl present)
Cathlene Hardy Hansen
Julie Havill
Bessie Henson
Jenny Ridao
Thelma Wyatt

IDOE Personnel Present:

Ryan Brown
Nicole Norvell
Jennifer Thompson

Interpreters Present:

Anthony Nelson
Randy Nicolai

Approval of Minutes from March 8, 2011 Meeting of the SAC:

K. Farrell formally called the meeting to order with quorum present at 9:46.

K. Farrell asked for approval of the minutes. R. Burden noted that he had one edit to the minutes.

The minutes previously read, "R. Burden said it would be very helpful if the charter school sponsors worked with the parent organizations of the State on demonstrating a capacity to provide all needed services. R. Burden clarified that he stated that the sponsors should work with everyone around the State, including state organizations and service organizations.

K. Farrell called for an approval of the minutes as amended, motion carried.

SAC informational requests from March 8, 2011 meeting:

R. Brown directed the group to the document entitled, "Common Questions about the Indiana Reading Evaluation And Determination (IREAD-3) Assessment." R. Brown stated that the document addressed J. Bret Lewis' request for clarification as to if there would be a waiver for the IREAD-3 assessment. R. Brown stated that students identified as taking alternative assessments against modified standards will not be required to take the test, and students failing the test would only be retained by case conference committee decision, as explained in the document.

R. Brown directed the group to an information sheet on the charter school enrollment counts for students with disabilities and directed the group to the comparison of charter school numbers against total numbers.

J. Bret Lewis asked that traditional school counts be included in the document for ease of comparison. R. Brown responded that he would add the total counts for traditional schools and email the document to the Council. He further stated he would include the individual LEA counts as well. R. Brown also stated that percentages would be included.

K. Farrell raised the question as to the qualifications of each charter school for serving students with disabilities. She noted that the number of identified Deaf-Blind students being served in charter schools was eight and the number seemed disproportionate. R. Brown responded that he also noted the unusual number and agreed it seemed disproportionate. R. Brown stated that he would look at the individual LEA count and see which charter schools claimed identified Deaf-Blind students at the request of K. Farrell.

APR/SPP Clarification Period Update:

J. Bret Lewis asked that R. Brown update the group briefly on the topic. R. Brown stated that the Annual Performance Report was a yearly reported, due February 1 of each year. He further stated that the content of the APR was discussed during a previous meeting, and the topic of the discussion was to update the group on changes during Indiana's Clarification Period to the APR.

R. Brown stated that there were minor discrepancies that had to be corrected, such as typos.

R. Brown also stated that for Indicator 3, Indiana was required to publically post assessment data by assessment type and building. He further stated that some cells of data were redacted due to Indiana's data suppression rules. He noted the information could be found at www.doe.in.gov/exceptional/.

R. Brown stated that for Indicator 7, the IDOE updated the document to show targets and improvement activities ran through the 2012-2013 school year. R. Brown stated that the SAC had previously voted on each but the document did not reflect that fact.

R. Brown noted that, during the clarification period, the IDOE also submitted information to the Data Accountability Center and OSEP verifying that Indiana had submitted required data on time.

Legislative Update:

N. Norvell stated that the IDOE representative providing the legislative update was not able to be present. She stated that the group should provide questions and the questions would be returned to Anne Davis for comments.

K. Mears stated she was participating in consultation meetings with the public schools but the public schools did not know their allocations so little could be accomplished. K. Farrell agreed that there was nothing specific to share in consultation meetings without allocations, but the meeting is a requirement. K. Farrell asked the present IDOE personnel if they knew when allocations amounts would be known. J. Thompson responded the allocation were received the week of the meeting and she was addressing the question during her section of the agenda.

K. Farrell asked if there were further questions relating to the legislative update.

J. Huffman asked about the bill relating to vouchers and if money would be pulled for private school students. R. Brown asked for clarification of if she was referring to HB 1341. J. Huffman affirmed. R. Brown noted that the bill added the provision that LEAs must now meet proportionate share requirements with state and local dollars for special education. K. Mears stated that many schools are already spending the money on private schools so there should not be a difference for many corporations.

J. Huffman asked that the IDOE be focused on the big picture in relation to the funding issue and ramifications.

J. Nally noted that several questions had been posed to the IDOE of how the new legislation would affect schools. He stated that Tony Bennett has a meeting school with the school corporations in Pike Township on May 16, 2011 and that many of the legislative items are on the agenda for the meeting.

K. Farrell noted that many of the legislative items had a direct influence on schools. She stated the legislative update be added as an agenda item for the next meeting and the membership of the Council would need a summary.

B. Lewis stated, from the perspective of a superintendent, that his district always has to wait until summer to discover how new legislation will affect schools. He stated there is much skepticism that 20 educational bills can be passed and information passed to the schools in a timely manner. He stated that if the bills are unfolded incorrectly, children's educations would be hurt. He also noted that for some of the bills, Indiana would be 12 months into the bills before the ramifications could be fully understood.

K. Tesmer noted that she had heard the legislation included a tax credit for those with students being homeschooled. She noted concern that parents might take out their students and claim homebound credit for the tax credit when the reality of education at home is not the case. She stated students would eventually end up back in the schools and further behind.

R. Burden stated the laws passed the legislative process but there is not language that everyone will understand on how it will play out and there has, therefore, not been an opportunity to have some influence or make some recommendation as to how it will roll out.

B. Lewis stated that 10 years ago when he joined the SAC the council would look to the parents in the committee to speak for the students. He stated that there are a number of resources for parents around the state but they are becoming passive in utilizing them. He also stated the voice of the parents of children and children with special needs has become minimalized and is not heard as it was in the past. B. Lewis challenged that the SAC not become passive. He stated that the SAC should assume its responsibility to make recommendations through the minutes or through some other sort of action.

B. Kirk noted that there was one time where the SAC took each section of Article 7 and reviewed the sections so that everyone had a chance to digest the information and come forth with recommendations to the Council. She noted that as one of only three parent representatives on the Council, she had to stand up as the voice of the parents. She stated that in the end the document was finished piece by piece, but approaching each section individually brought on significant discussion at SAC meetings.

K. Farrell stated that there were many changes to the department since Article 7 was revised and over the last 12 to 14 months.

K. Tesmer stated that as one of the parents participating in the Council, she sees constant turnover at the IDOE. She also noted that it seems the IDOE sometimes comes to the SAC with decisions made and are not asking for advisement.

D. Downer noted that in the past as a group the SAC had been very actively involved but the IDOE does not always involve the SAC. She noted that the IDOE was required to present Early Childhood Assessment baseline data, targets and improvement activities to the SAC or another stakeholder group. She also asked how the IDOE fulfilled the federal regulation. R. Brown responded that the IDOE could not complete the data analysis until the day prior to the submission, so the IDOE asked C. Endres to review the data until it could be presented to the SAC. D. Downer added that the IDOE should enter into the system with trust and that the SAC are not enemies but can be allies.

K. Dodson agreed that not having an IDOE member present to discuss the legislative updates was not good judgment. She stated, however, that she was aware of work with the Indiana State Teachers Association to look at the evaluation of special education teachers and that the process was informal and open to negotiation.

K. Farrell stated that the membership had brought many issues to the Council. She stated that the membership expressed that they want to be a viable conduit for special education. She added that members give their work or personal time to participate. She stated that the Council had expressed a need to receive relevant information before. She also noted that there are pockets at the IDOE working on different things and it will need to be pulled together. She added that with many changes recently that the SAC is very important to the IDOE because it is stable.

C. Endres states that she has seen that the SAC is dependent on the IDOE for agenda items. She added she would like to see the group drive the agenda more and set the agenda at the SAC level.

K. Farrell agreed and noted that agenda items are to be e-mailed two weeks before the SAC meetings, and the information was not sent at least two weeks in advance. She noted and the IDOE confirmed that materials would be sent two weeks prior to the meetings.

B. Kirk added that sometimes parent representatives are just not in the know. She added families often do not always know what is happening or what the effects would be. Another reason to present relevant information to the SAC as soon as possible is because that information is very significant for those not involved on a day-to-day basis. Once that begins happening there will hopefully be more discussion at the Council.

L. Kovacs noted that the Article 7 revision process was easier to grasp as a concrete task and that it is harder to gauge the tasks now.

B. Lewis clarified that he appreciated the work from the IDOE and that he wished his previous statement to be more of a call to action for the Council. He added that unfortunately, it would be too late to have influence on some issues. He also stated that he heard there has been a 40% drop in the number of students going into the education field.

J. Swiss stated that her program has seen a drop in enrollment for students in the education field. She also stated that the IDOE personnel present do not have the ability to make many of the decisions discussed by the Council.

J. Huffman stated that she did not see asking for items to be brought to the group as the role of a council member.

B. Lewis stated that the SAC was similar to an advocate group for special education. He noted that there were often statewide meetings on how the Article 7 revisions would affect FAPE. He noted that over the past few years that has not happened.

K. Farrell read the quotation from the SAC By-Laws that define the Council role. She added that the passage shows the SAC is advisory by nature.

B. Kirk added that the role has been watered down and that often the group rushed through things to get done.

K. Tesmer stated that she was frustrated there was no legislative update to the SAC. She also stated she feels the legislation was pushed through for signatures without looking at the human impact of the legislation.

D. Geeslin stated he would like to see a sharing of ideas, a due process of ideas and the sharing of the things the Council was discussion. He also stated the group needs to partner up with the people working on policies and procedures and get involved instead of having a project finished and then presented to the SAC.

R. Burden stated that some of the frustration was due to the world today. He stated it would be nice for the group to be proactive and take a positional stance to the extent that it is useful. He also stated that most recently the SAC has been in a reactive position. He added that everyone around the state is scrambling to understand what must be done and there were not many opportunities for anyone to have that conversation until now. He also stated that the SAC is now in a position of reaction and part of that is understanding now how it will play out. He added he would like to feel that everyone is in a position of trying to understand together. He also stated that that now the Council could best invest its time working with these people in trying to find ways to address the issues in a way that makes sense.

K. Mears asked if it was possible that the Council meet in June to be on the front end of the legislative issues. K. Farrell confirmed.

D. Gesslin stated that with IREAD, for example, he would have liked to see policy makers explain to the group what they are thinking about addressing and then develop a plan the SAC can examine. He added that then they could brainstorm before the finished product. He added that the SAC can be a part of the discussion which will eventually shape some kind of better outcome. He also stated that the Council could go to these individuals directly to have a sharing of information on the thought process or design.

K. Farrell discussed meeting times and decided on a tentative meeting for June 24, 2011 from 9-3 at the H. Dean Evans Community and Education Center.

J. Nally stated what he was hearing from the IDOE is that the rollout is for the IDOE personnel to decide and that they should give the IDOE time to complete commenting on the bills.

Becky Kirk asked if specific bills that have an impact on special education could be e-mailed to the SAC.

K. Farrell asked that the information include a synopsis of the bills and their impact on students with special education.

B. Lewis stated that the school board associations are already drilling down those bills and that some materials are already being developed and shared.

K. Dodson stated she would love to see a drill-down of the bills from the administrative perspective.

M. Johnson stated that some laws take effect July 1 so the SAC would need the information by early July or late June.

K. Dodson added that some bills do not go into effect until July of 2012.

K. Farrell stated that many questions had come forward. She also asked that at the June 24th meeting someone can also come with direct knowledge of IREAD to address questions. She also stated that reading plans for grades 1-3 also needs to be discussed.

J. Huffman asked that the IDOE remind everyone of the meeting often so there is a quorum present. R. Brown noted that he would ask for an RSVP from SAC members in the email. K. Farrell offered that she would send R. Brown an example of the message used in the past.

J. Swiss asked if they would be reviewing SAC membership at the meeting. K. Farrell added that as chairperson, she would be sharing the attendance information with Dr. Bennett via email. L. Kovacs added that, as a member of the By-Laws subcommittee, sending the information to the Superintendent of Public Instruction is all that is allowed by the by-laws.

R. Burden noted that, in consideration of the meeting on June 24th that the IDOE does not have excess capacity and that fewer individuals mean tasks take more time. He asked the Council be mindful of that as the Council moves forward.

Electronic IEP Update:

N. Norvell stated that the ISTART7 system will officially be disconnected on June 19, 2011 and the new system would be available on June 27, 2011. She stated that ISTART7 cannot be online during the migration because some changes might be made. She added that there are webinars about a user assigning rules so that other users can be trained in the district. She also stated that trainings begin in July and go through August using a train-the-trainer model. She added that it was the decision of the local LEA which individuals to send for training.

K. Tesmer asked if signups for the summer meetings were now open. N. Norvell responded that summer trainings are still closed. She noted that training sites are being grouped so that individuals from the same LEA can attend together.

K. Tesmer noted that she had reviewed the map of training sites and there was a hole in the western part of the state. N. Norvell responded that some sites could not support the technology required.

B. Lewis stated that he would have offered his auditorium as a lab for his buildings. He also asked if there was an opportunity for distance learning as webinars are heavily used today.

N. Norvell stated the initial training is about how to use the system and it is much harder to train that information if the users cannot ask questions. She added that for the trainings the first

portion of the day would be going through the system and the second would be an open trial for the users.

B. Lewis asked how many people would be in each session. N. Norvell stated that there would be 20-25 per session, with morning and afternoon sessions.

B. Lewis stated that every person in his district wanted to be trained, but the train-the-trainer model is dependent on the trained individuals having local trainings. He stated he hoped that those first trained get everything out of the training they need, or they may have a trained person that cannot answer all of the LEAs questions. N. Norvell responded that there is an online manual for the program and also a 24/7 help line available to users.

L. Kovacs stated that she noted in the previous meeting that it would be a good idea to look at webinars for parent organizations on the program and asked that the IDOE consider her suggestion.

Part B Application Update:

J. Thompson introduced the items listed on the Part B Application. The Council asked for specific information as far as what was changed.

J. Thompson noted that on the 4th line of the application there were dollars budgeted for model sites. She stated that the model sites had been established and no further dollars were needed, so the dollars would be used for the secondary outcomes initiative. She asked that N. Norvell discuss the initiative.

N. Norvell stated that there would be an application process during the funding cycle for setting up model sites for initiative. She stated the purpose of the initiative is to look at inclusionary practices from elementary school through high school. She stated the initiative would look at general education teachers working with students with special needs in an effort to increase the graduation rate. She stated that the model sites would be established to lay the ground work for the state to apply for a federal grant to extend the initiative.

J. Huffman stated that as a parent she often hears of concerns for students with IEPs in graduation. She asked that the Council examine the possibility of providing a recommendation to the State regarding the requirements for graduating with a certificate of complete. She asked that the item be added to the agenda for the next meeting.

N. Norvell stated that the RTI model sites were funded under the authority of corrective action for not making AYP. She stated that the sites for the postsecondary initiative would follow similar criteria. D. Downer asked her to clarify and restate the information.

B. Lewis stated that from a general education perspective the mold is set prior to a student entering high school. He stated that schools needed to look at all ages and push students up in their aspirations at the 6th grade level. He stated many students become apathetic to education at that time. He also noted that there is often a tendency for entire families to have no family members graduate from high school.

N. Norvell stated that the initiative also can examine parent involvement. She stated that Georgia has a model that looks at parent involvement and its relation to a student's likeliness to graduate. She stated that Indiana can benefit from the leg work Georgia put into their research.

J. Thompson noted that the IDOE had received the Part B allocation amounts on Wednesday, May 4. She also stated that there was a slight decrease in the allocation. She stated that for students aged 3-21, the total amount was reduce by approximately \$500,000.00 dollars.

D. Downer asked for the percentage of Part B dollars cut. J. Thompson stated that the cut was 3%. D. Downer asked for clarification. J. Thompson responded the amount cut was .3%. D. Downer stated the amount cut was the same for Part C.

B. Lewis stated that the ARRA dollars are soon to expire and that the expiration clouds the ability to plan for funding.

J. Thompson stated in addition that for Part B and ARRA dollars, all the amounts must be encumbered by the LEAs by September 30, 2011.

R. Burden asked what the flow through amount would be in the application. J. Thompson responded the amount was around 19 million dollars.

K. Farrell asked J. Thompson to explain flow through dollars to the Council. J. Thompson responded that the flow through amount includes administrative costs and state initiatives. Anything not included in the flow through is dispersed to the LEAs. J. Thompson stated that OSEP notified states of their minimum and maximum allowed for the flow through and noted that Indiana's maximum allotment was 23 million with the state opting to take 19 million.

K. Farrell stated that she noted that there was not much change to the flow through amounts though the staff of the IDOE has decreased during that time. She asked that the discrepancy be examined to determine if actual dollars spent on salaries had decreased.

J. Huffman stated that some LEAs are leaving their cooperatives and that parents are concerned services will not be provided. J. Thompson explained that the dollar amounts are per child and that the money would still proportionately flow to the remaining members of a cooperative. J. Huffman noted concern that the remaining LEAs might not be able to function without a larger corporation if it leaves the cooperative.

B. Kirk asked who gives the authority for a district to withdraw from a cooperative or asks if the corporation is prepared to offer services.

R. Burden responded that it was previously a responsibility of the SAC to review LEA plans for implementing the services but the plans are no longer required. He stated even then it was upon the local program to plan and the SAC would advise.

B. Lewis stated that his corporation pays 24% of the cooperative costs and if they were to pull out of the cooperative, the other LEAs may not be able to provide the residual costs and the remaining corporations will suffer. He asked that the IDOE consider and the SAC consider the issue.

K. Farrell asked if the Council members present had other questions. She further asked, in looking at the application, how the decision to begin the postsecondary initiative was decided.

N. Norvell stated that money for the RTI model sites were set up for 27 months, so there were additional money for an initiative. She stated that in special education much focus has been placed on LRE and it was a natural jump to focus on postsecondary outcomes.

K. Farrell stated that that would have been a good topic to discuss with the SAC before moving forward.

K. Farrell also asked that when the minutes are mailed from the meeting that the descriptions of each funding item on the application is included, as asked for by the membership.

B. Kirk asked that if someone misses a meeting, they be emailed all the handouts from the meeting. R. Brown noted that he would email the handouts from the meeting to all members.

J. Nally stated that he would like to thank B. Lewis for providing refreshments for the meeting.

Adjournment:

K. Farrell asked for a motion to adjourn the meeting. J. Nally so moved and C. Endres seconded. Meeting was adjourned at 12:24 p.m.